HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8304 OF 2003.

Chittaranjan Chhotalal Shroff. ..Petitioner.

Versus.

Smt. Smitha Yogesh Parikh. ..Respondent.

Smt. Veena Patil i/b Shri. P.M.Pradhan for the Petitioner.

Shri. N.J. Ratnani i/b. M/s. Ashwin Ankhad and Associates for the respondent.

CORAM: S.B.MHASE, J.

DATE : MARCH 13, 2006.

P.C.

1. Heard both sides. Injunction has been granted by the trial Court which has been confirmed by the appellate Court. As per this injunction, the petitioner is prohibited from transferring the suit property till the final disposal of suit. The petitioner and respondent are the step brother and sister. The respondent has filed suit for partition and possession of the suit property and claimed prohibitory orders which were granted by the courts below. In my opinion, such orders are necessary for preserving the suit property. It has been proved that the petitioner is trying to dispose of the suit property. Under these circumstances, if the suit

properties are not protected the suit will become infructuous. There is no merit in the petition.

Petition is hereby rejected.

2. Learned counsel appearing on behalf of the respondent made a request to expedite the hearing of the suit. Considering the facts and circumstances of this case, subordinate Courts are directed to expedite the hearing of the proceedings and shall preferably dispose of the same within a period of one year.

(S.B.MHASE, J.)